

COMMONWEALTH OF KENTUCKY  
BEFORE THE KENTUCKY STATE BOARD ON  
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

APPLICATION OF SOUTHERN INDIANA GAS &	)	
ELECTRIC CO. D/B/A VECTREN ENERGY	)	
DELIVERY OF INDIANA, INC. FOR A	)	CASE NO.
CERTIFICATE TO CONSTRUCT AN ELECTRIC	)	2010-00223
TRANSMISSION LINE FROM ITS A.B. BROWN	)	
PLANT TO THE BIG RIVERS REID EHV	)	
STATION	)	

O R D E R

On July 15, 2010, Applicant, Southern Indiana Gas & Electric Co. d/b/a Vectren Energy Delivery of Indiana, Inc. ("Vectren"), filed its initial application in the above-styled matter for a certificate for the construction of a 345 kV transmission line in Henderson County and a portion of Webster County, Kentucky. As proposed in its July 15, 2010 application, the route and/or right-of-way for the transmission line would have crossed properties owned by Henderson Water Utility ("HWU"), Henderson Municipal Power & Light ("HMP&L") and the city of Henderson (collectively, "Intervenors").

In their August 16, 2010 motions for intervenor status, the Intervenors objected to the proposed location of the transmission line route and requested a formal evidentiary hearing in the matter. Pursuant to their request, a formal evidentiary hearing was scheduled to be held on October 13, 2010. The hearing was subsequently rescheduled to October 21, 2010, based upon a joint motion filed by the parties on October 6, 2010, which stated that they were negotiating a settlement agreement to address the issues raised by the Intervenors.

On October 14, 2010, Vectren filed an amended application in the above-styled matter that contains a new proposed route for the transmission line. Vectren states in its amended application that the new proposed transmission line route avoids the properties owned by HWU and HMP&L and also “further minimizes the adverse scenic impact of the route” on the city of Henderson’s waterfront park.<sup>1</sup> However, the new proposed transmission line route also crosses a number of new properties in Henderson County that were not affected by the original route as described in the July 15, 2010 application.<sup>2</sup>

On October 15, 2010, the Intervenor filed separate motions in which they requested to withdraw their petitions for intervention and their requests for an evidentiary hearing in this matter. In addition, on October 15, 2010, the Intervenor filed a joint motion withdrawing their September 16, 2010 motion to dismiss and memorandum in support thereof. As grounds for their motions, Intervenor state that, as a result of their settlement agreement and the filing of the amended application, they no longer have a dispute with Vectren regarding the proposed transmission line route.

The Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board”) finds that, based on Vectren’s filing of an amended application in this matter, it will be necessary to provide due process and a fair opportunity for those affected by the new transmission line route to participate in this case. Therefore, the statutory timelines pursuant to KRS 278.712(1) and 278.714(3) will begin anew as of the October 14, 2010 filing date. Further, the Siting Board finds it necessary to cancel

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<sup>1</sup> Vectren Amended Application at 3.

<sup>2</sup> Id.; see also, “Henderson County Property and Easement Information” form at Tab 3.

the formal evidentiary hearing previously scheduled to be held on October 21, 2010 and to issue the attached amended procedural schedule. The amended procedural schedule establishes new deadlines for requests for intervention, requests for a local public hearing, requests for a formal evidentiary hearing, and the Siting Board's final decision in this matter.

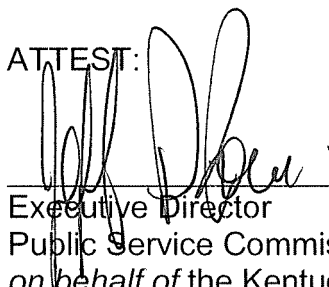
Finally, based on the foregoing, the Siting Board finds good cause to grant the Intervenor's joint motion to withdraw their September 16, 2010 motion to dismiss and memorandum of support thereof and their separate motions to withdraw their August 16, 2010 requests for intervention and an evidentiary hearing in this matter.

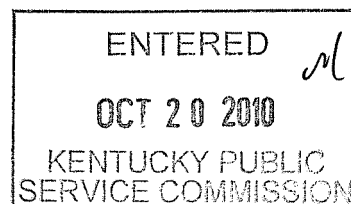
IT IS THEREFORE ORDERED that:

1. The Intervenor's joint motion to withdraw their petitions for intervention and an evidentiary hearing in this matter is granted.
2. The Intervenor's motions to withdraw their September 16, 2010 motion to dismiss and memorandum in support thereof are granted.
3. The October 21, 2010 hearing is canceled.
4. Vectren and any other party to this matter shall comply with the amended procedural schedule attached hereto.

By the Kentucky State Board on Electric  
Generation and Transmission Siting

ATTEST:

  
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Executive Director  
Public Service Commission  
*on behalf of the Kentucky State*  
Board on Electric Generation  
and Transmission Siting



## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO. 2010-00223 DATED OCT 20 2010

#### REVISED PROCEDURAL SCHEDULE

Amended Application filed ..... 10/14/10

Any motion to intervene shall be filed with the Siting Board no later than ..... 11/15/10

Any request for a local public hearing or any motion for an evidentiary hearing shall be filed no later than..... 11/15/10

Intervenors and Staff may file information requests to Vectren no later than..... 11/22/10

Vectren's responses to information requests are due no later than ..... 12/01/10  
(All parties responding to information requests shall include the name of the person who prepared each response and who will be available to testify at the hearing on that response.)

Vectren and Staff may file information requests to Intervenors no later than..... 12/08/10

Local Public Hearing in Henderson, Kentucky..... To Be Determined  
(The local public hearing may not be held if no persons request a local public hearing by November 15, 2010.)

Intervenors' responses to information requests are due no later than ..... 12/16/10

Parties shall file a list of witnesses for the formal evidentiary hearing, together with a brief summary of their testimony, no later than ..... To Be Determined

Vectren shall publish notice of the formal evidentiary hearing in a newspaper of general circulation in Henderson County and Webster County no later than ..... To Be Determined

Parties shall file direct testimony, if any, no later than ..... To Be Determined

Vectren shall file proof of publication of the notice of hearing no later than..... To Be Determined

Public Evidentiary Hearing at 10:00 a.m.,  
Eastern Standard Time, at the offices of the  
Public Service Commission, 211 Sower Boulevard,  
Frankfort, Kentucky, for the purpose of

cross-examination of witnesses ..... To Be Determined

(The evidentiary hearing may be canceled if no parties request  
an evidentiary hearing or if the Siting Board determines that an  
evidentiary hearing is not necessary to determine the issues  
in the case)

Briefs, if any, shall be filed no later than ..... To Be Determined

Decision due ..... 01/12/11  
(Deadline is 90 days after the filing date if no local public hearing is held)

or

Decision due ..... 02/11/11  
(Deadline is 120 days after the filing date if a local public hearing is held)

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